

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EMIL GODING,

Petitioner,

-against-

MICHAEL CAPRA,

Respondent.

1:20-CV-6733 (CM)

CIVIL JUDGMENT

COLLEEN McMAHON, Chief United States District Judge:

Pursuant to the order issued August 24, 2020, denying the current petition for a writ of *habeas corpus* without prejudice as duplicative,

IT IS ORDERED, ADJUDGED AND DECREED that the current petition is denied without prejudice to the pending petition in *Goding v. Capra*, 1:20-CV-6390 (AJN) (OTW). Because the current petition makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the Court's judgment would not be taken in good faith.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this judgment to Petitioner and note service on the docket.

SO ORDERED.

Dated: August 24, 2020
New York, New York



COLLEEN McMAHON
Chief United States District Judge